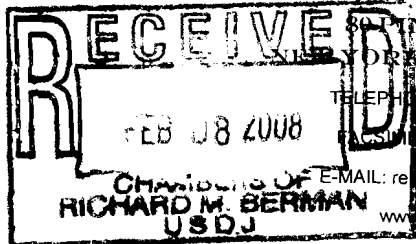


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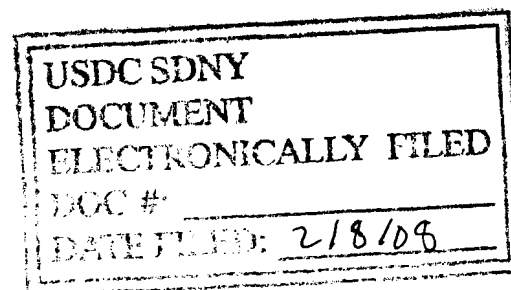
MEMO ENDORSED
p.2

February 8, 2008

Our Ref: 22-08/PJG

BY HAND

Honorable Richard M. Berman
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 650
New York, NY 10007



Re: Industrial Carriers Inc. v.
Dayton Commercial Limited et al.
07 CV 7937 (RMB)

Dear Judge Berman,

We represent the Movant Top Union (China) Ltd. and write with respect to the pending motion to vacate the attachment against its funds. Today, we received the Plaintiff's opposition papers, and under the original schedule, our reply was due tomorrow. Owing to the fact that it is Chinese New Year and China is essentially closed, we requested an extension from Plaintiff's counsel of the time within which we would respond and they graciously consented to an adjournment of that date until next Friday, February 15. Provided the Court has no objection, therefore, we will file and serve our reply papers on that date.

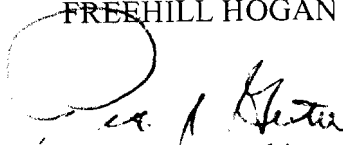
I believe that both parties would also like to address the Court on the motion so perhaps we could speak to chambers either next week or early during the week of February 18 to see when there might be a convenient time when we could address the Court on the application.

February 8, 2008
Page 2

In view of this adjournment, we also note that the Court had originally scheduled a conference for February 11 at 9:00 a.m. which we assume should be adjourned and simply wanted to call that to the Court's attention to ensure that that conference was cancelled.

We thank the Court for its attention to the foregoing.


Respectfully submitted,
FREEHILL HOGAN & MAHAR LLP



Peter J. Gutowski

PJG:mjg
Encl.

cc: Via Email
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<u>EXTENSION GRANTED ON CONSENT.</u>	
<u>THE CONFERENCE ON 2/11/08 IS ADJOURNED</u>	
<u>TO 2/21/08 AT 2:00 P.M.</u>	
SO ORDERED:	
Date: <u>2/8/08</u>	
Richard M. Berman, U.S.D.J.	